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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,767	02/19/2002	Jens Graf	10191/2246	7845
26646	7590	06/10/2004		
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			EXAMINER	
			NGUYEN, THAN VINH	
			ART UNIT	PAPER NUMBER
			2187	
			DATE MAILED: 06/10/2004	7

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

7

DATE MAILED:

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Commissioner for Patents

Than Nguyen  
Examiner  
Art Unit: 2187

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/079,767	GRAF ET AL.
	Examiner Than Nguyen	Art Unit 2187

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 07 April 2004.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-8 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-8 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. This is a response to the amendment and priority document, filed 4/7/04.
2. Claims 1-8 are pending.

#### ***Priority***

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Response to Amendment***

4. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment of the claims warrant new grounds of rejection.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 1-8 rejected under 35 U.S.C. 103(a) as being unpatentable over by Norman et al (US 6567335).

**As to claim 1:**

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7. Norman discloses a memory system having a memory controller connected to multiple memory devices. Norman discloses the claimed memory arrangement comprising: a programmable memory (flash memory 38; 4/48-67); a first buffer memory associated with the programmable memory, to which first buffer memory, in the case of a command access, at least one command following the accessed command is written (command buffer; claim 29,32) ; and a second buffer memory to which, in the case of a data access, at least one datum following the accessed datum is written (data buffer, claim 29,32). Norman does not specifically teach the first buffer and second buffer is integrated in the flash memory. It is well known in the art of memory design to integrate multiple devices onto a single chip to provide for faster access, smaller footprint/size, and reduced cost. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to integrate the first and second buffers in the flash memory of Norman for the reasons above.

**As to claim 2:**

8. Norman discloses the programmable memory includes a burst flash memory (flash memory 38; 4/48-67).

**As to claim 3,7,8:**

9. Norman teaches the second buffer memory is loaded only in the case of a data access (data input buffer stores temporary data upon read; 8/40-50) .

**As to claim 4:**

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10. Norman teaches content of the first buffer memory (command input buffer 48-51) is not changed when the at least one datum is subsequently read from the second buffer memory (data buffer 52) (command and data buffer not affected by one another (Figure 4).

**As to claims 5-6:**

11. Norman discloses a memory system having a memory controller connected to multiple memory devices. Norman discloses the claimed method for performing at least one of a command access and a data access during a program execution in connection with a programmable memory, comprising the steps of: recognizing in the case of a command access that a command access is present; recognizing in the case of a data access that a data access is present; writing a command following the accessed command to a first buffer memory; and writing a datum following the accessed datum to a second buffer memory (command input buffer 48-51 store commands while data buffer 52 stores data; claims 29,32; Figure 4). Norman does not specifically teach the first buffer and second buffer is integrated in the flash memory. It is well known in the art of memory design to integrate multiple devices onto a single chip to provide for faster access, smaller footprint/size, and reduced cost. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to integrate the first and second buffers in the flash memory of Norman for the reasons above.

***Conclusion***

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12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Than Nguyen whose telephone number is (703) 305-3866. The examiner can normally be reached on M-F from 8:00 a.m. to 3:00 p.m. EST.
14. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.
15. The fax phone number for Art Unit 2187 is 872-9306.



Than Nguyen

Primary Patent Examiner

June 2, 2004